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 2 D. K. Moore (136845) I. C. Morales (068915)  
 10601 Civic Center Dr. Ste 260  
 3 Rancho Cucamonga, CA 91730  
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 5 Attorneys for Defendant, Barbara J. Smith

**FILED**  
 SUPERIOR COURT  
 COUNTY OF SAN BERNARDINO  
 RANCHO CUCAMONGA DISTRICT

FEB 17 2011

BY *S. K. Kinn*  
 DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO  
 RANCHO CUCAMONGA DISTRICT

10 Plaintiff: GRYPHON SOLUTIONS, LLC

11 vs.

12 Defendants: BARBARA J. SMITH et al.  
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) Case No. CIVRS 1012761

) NOTICE OF RULING ON DEFENDANT'S  
 DEMURRER

) DATE: February 8, 2011

) TIME: 8:30 a.m.

) DEPT: R-11  
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21 Defendant, BARBARA J. SMITH's Motion to Demurrer to Complaint of GRYPHON  
 22 SOLUTIONS, LLC came on for hearing on February 8, 2011, at 8:30 a.m. before the Honorable,  
 23 JANET M. FRANGIE, Judge presiding, in the San Bernardino Superior Court, Rancho Cucamonga  
 24 District. Plaintiff's attorney, JAY TENNENBAUM, appeared telephonically in court on behalf of  
 25 Plaintiff, GRYPHON SOLUTIONS, LLC, who was not present. Defendant's attorney, SANG  
 26 BANH, was present in court on behalf of Defendant, BARBARA J. SMITH, who was also present.  
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EXHIBIT

NOTICE OF RULING; page 1  
 Case No: CIVRS1002761

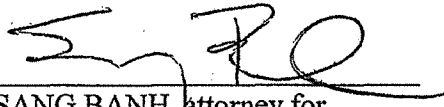
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2 The Court made the following ruling:

3 Defendant's general Demurrer to the Complaint is sustained without leave to amend. As a  
4 matter of law, a Complaint for judicial foreclosure is not the statutorily authorized avenue to enforce  
5 Plaintiff's judgment lien against Defendant's real property. This ruling does not preclude Plaintiff  
6 from enforcing its judgment pursuant to the Enforcement of Judgments Law statutes (California Code  
7 of Civil Procedure Article 9, §§680.010-724.260).  
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13 Dated: 2/16, 2011

INLAND COUNTIES LEGAL SERVICES

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16 SANG BANH, attorney for,  
17 Defendant, BARBARA J. SMITH  
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1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO**

3 I am employed in the County of San Bernardino, State of California. I am over the age of  
4 18 years and not a party to the within action; my business address is 10601 Civic Center Drive,  
Suite 260, Rancho Cucamonga, CA 91730. On 2/16/11 I served a true copy of Notice of Ruling  
5 as follows:

6 Jay M. Tenenbaum Esq.  
GRYPHON SOLUTIONS LLC  
7 17772 Irvine Blvd. Ste. 203  
Tustin CA 92780  
8

9 **(XX) VIA MAIL** - In accordance with the regular mail collection and processing practices of  
this business office, with which I am familiar, by means of which mail is deposited with the  
10 United States Postal Service at Rancho Cucamonga, CA, the same day in the ordinary course of  
business, I deposited such sealed envelope for mailing on this same date following ordinary  
11 business practices.

12 **( ) PERSONAL** - I caused such envelope to be delivered by hand to the office of the addressee  
pursuant to CCP §1101.  
13

14 **( ) VIA OVERNIGHT DELIVERY** - I caused such envelope to be delivered by hand to the  
office of the addressee via overnight delivery pursuant to CCP §1013(C). Said document was  
15 deposited at the mail box regularly maintained by said express service carrier located on Elm in  
Rancho Cucamonga, CA 91730 on the date set forth above.  
16

17 **( ) VIA FACSIMILE** - I caused such document to be delivered to the office or the addressee  
via facsimile machine pursuant to CCP §1013(e). Said document was transmitted from Inland  
18 Counties Legal Services in Rancho Cucamonga, California, on the date set forth above.  
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20 I declare under penalty of perjury, under the laws of the State of California that the  
foregoing is true and correct. Executed on 2/16/11 at Rancho Cucamonga, California.  
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24 Elaine Festor  
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